

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Attorney Karl Hanson on September 9, 2008.

The application has been amended as follows:

IN THE CLAIMS:

Claim 66:

On line 14, "the free segment also being located below..." was changed to --the free segment also being completely located below--.

On line 17, "surface that mechanically holds the flexible flap against the flap-retaining..." was changed to --surface that holds the flexible flap in an abutting relationship against the flap-retaining--.

Claim 68:

On line 15, "also being located below..." was changed to --also being completely located below--.

On line 18, "surface that holds the flexible flap against the flap-retaining..." was changed to --surface that holds the flexible flap in an abutting relationship against the flap-retaining--.

On line 21, “the flexible flap is mechanically held...” was changed to –the flexible flap is held--.

2. The following is an examiner’s statement of reasons for allowance: The prior art made of record does not teach a filtering face mask having the specific structure and relationship as claimed in claims 66 and 68 including the free segment being completely located below the stationary segment and a surface that holds the flexible flap in an abutting relationship against the flap-retaining surface.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled “Comments on Statement of Reasons for Allowance.”

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Annette F. Dixon whose telephone number is (571) 272-3392. The examiner can normally be reached on Monday thru Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner’s supervisor, Justine Yu can be reached on (571) 272-4835. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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